

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Martin.
Blackert.	Moore.
Burns.	Neal.
Collie.	Pace.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Fellbaum.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Woodruff.

Nays—2.

Poage. Westerfeld.

Absent.

Hopkins. Rawlings.

Absent—Excused.

Oneal.

Adjournment.

Senator Woodruff, at 12:05 o'clock p. m., moved that the Senate adjourn until 10:00 o'clock a. m., Friday.

The motion prevailed.

## APPENDIX.

### Committee Reports.

Committee Room,  
Austin, Texas, Jan. 17, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 68, A bill to be entitled "An Act creating the Special District Court of Smith County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor, prescribing his powers and duties, providing for the transfer of cases from the Seventh Judicial District of Smith County; and from the Special District Court to the Seventh Judicial District of Smith County; providing for the district clerk of Smith County and his successor in office to be the clerk for said Special District Court in said county; providing that the district attorney of the District Court

of Smith County, and in his absence or inability, the county attorney of Smith County shall represent the State in said Special District Court in said county; providing a seal for said Special District Court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MARTIN, Chairman.

## EIGHTH DAY.

Senate Chamber,  
Austin, Texas,  
January 18, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Moore.
Blackert.	Neal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.

Absent—Excused.

Oneal.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Hill.

### Petitions and Memorials.

(See Appendix.)

### Committee Reports.

(See Appendix.)

### Bills and Resolutions.

**Senate Bill No. 104.**

By Senator Rawlings:

S. B. No. 104, A bill to be entitled "An Act to provide for creating Firemen's Relief and Pension Fund in the State of Texas and in all incorporated cities and towns thereof having a regularly organized fire department with fire fighting equipment or apparatus of the value of one hundred dollars (\$100.00) or more therein; levying and assessing a designated tax of 2.6 per centum of all gross insurance premium receipts, less return premiums paid policyholders, collected or received from all fire and other kinds of insurance, except life insurance, and appropriating the proceeds of such tax to such Firemen's Relief and Pension Fund, providing for and directing the distribution thereof; creating and providing for selection of a Board of Firemen's Relief and Pension Fund Trustees in each such city or town that may now be or hereafter come within the provisions of this Act; and declaring an emergency."

Read and referred to the Committee on Towns and City Corporations.

**Senate Bill No. 105.**

By Senator Duggan:

S. B. No. 105, A bill to be entitled "An Act providing that it shall be the duty of the State Board of Education on or before August 1, 1935, and annually thereafter at the time said Board fixes the State per capita apportionment for the public free schools of the State, to set aside from the available school fund not prohibited under the Constitution an amount not to exceed fifteen (15) cents per scholastic per year for the maintenance and support of the Administrative Division of the State Department of Education and all subdivisions thereof except the Rural School Division and the Text-book Division of said Department; authorizing the State Board of Education to prepare a budget of all expenses necessary in carrying on the work of the Department of Education as provided in this Act, said expenses to include salaries of employees, traveling expenses, supplies, printing, and such other expenses that shall be considered necessary by said Board of Education, providing specifically that the fund authorized by

this Act shall be administered by the State Board of Education; providing that if any provision of this Act shall be declared unconstitutional, such declaration shall not affect any other provision of this Act, repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

**Senate Bill No. 106.**

By Senator Rawlings:

S. B. No. 106, A bill to be entitled "An Act to amend Article 2621 of the Revised Civil Statutes of 1925, of the State of Texas, relating to courses of study offered and the conferring of degrees in the North Texas Agricultural College, and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

**Senate Bill No. 107.**

By Senator Westerfeld:

S. B. No. 107, A bill to be entitled "An Act making it unlawful after January first, nineteen hundred and thirty-six to operate on any public highway or street, a motor vehicle manufactured or assembled after said date, designed or used to carry passengers for hire, or as a public conveyance to transport school children or others unless such vehicle be equipped with safety glass; and making it unlawful after July first, nineteen hundred and thirty-six to operate on any public highway or street any motor vehicle registered in this State, and manufactured or assembled after said date unless such vehicle be equipped with safety glass; and defining the term "safety glass," and requiring the State Highway Commission to maintain a list of types of safety glass approved by it as conforming to this Act; and providing for the withholding of permits, licenses or registration certificates of motor vehicles not equipped with safety glass as required by this Act; and providing that the violation of this Act shall constitute a misdemeanor and prescribing the punishment therefor, and repealing all laws in conflict with this Act.

Read and referred to the Committee on State Highways and Motor Traffic.

**Senate Bill No. 108.**

By Senator Westerfeld:

S. B. No. 108, A bill to be entitled "An Act to provide for the Escheat to the State of Texas of all money, funds and credits which have heretofore accrued and accumulated and which are held by any person, firm or corporation engaged in mining, drilling, exploring, developing and exploiting any mineral deposit, and any oil and gas deposit located in the State of Texas, and which have accrued, accumulated, and are held by any person, firm or corporation engaged in the purchase, transportation, refining, processing and manufacture of any product from any mine or from any oil or gas well for the account of and to the credit of any owner of any interest in such mineral deposit and oil and gas deposit, which shall have remained unpaid or unclaimed or to which the ownership has remained undetermined for more than three years, requiring all such persons, firms or corporations holding such money, funds and credits to furnish information concerning the origin and ownership of same to the Comptroller of the State of Texas, providing penalties for failure to furnish such information, and providing procedure by which Escheat shall be determined and adjudicated, and declaring an emergency."

Read and referred to the Committee on State Affairs.

**Senate Resolution No. 17.**

Senator Hornsby asked unanimous consent to change one word in S. R. No. 17.

Consent was granted.

**Special Order Set.**

On motion of Senator Blackert Senate Bills 81-91-92-93-94-95-96-97-98-99 were set as special order for Wednesday morning at 10:00 o'clock a. m.

**At Ease.**

On motion of Senator Hill the Senate at 10:15 o'clock a. m. stood at ease, subject to the call of the Chair.

**Report of Centennial Committee.**

The Chair, Lieutenant Governor

Walter F. Woodul, laid before the Senate the report of the Centennial Committee, and asked unanimous consent that it be mimeographed and laid on the desks of the Senators, and not printed in the Journal.

Unanimous consent was granted.

**Resolution Signed.**

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

H. C. R. No. 12.

**Message From the Governor.**

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Office,

Austin, Texas, Jan. 18, 1935.

To the Forty-fourth Legislature of the State of Texas:

I hereby submit to you as an emergency matter for your immediate consideration the immediate creation of a special temporary district court for Rusk County and a special temporary district court for Gregg County; and the continuation of the present 124th District Court for Gregg County, which will expire in August.

It is a matter of common knowledge that the dockets of the existing district courts of these counties are more than hopelessly crowded. In these counties we find not only the ordinary oil field litigation and criminal prosecutions, but the venue of all suits for penalties for violation of the conservation statutes and orders of the Railroad Commission is laid in these oil field counties. As a practicing attorney in private life I witnessed one of the greatest oil booms in Texas in the Wichita Falls area, but, frankly, the East Texas oil field is by far the greatest the country has ever known. I do not believe conditions in other oil field counties begin to compare with the situation that exists in Rusk and Gregg Counties. This, perhaps, accounts to a large extent for the lack of respect for the State's conservation laws and the orders of the Commission in the past, and for some of the so-called "chaos" in connection with the East Texas oil field.

During my service as Attorney General it was extremely difficult to get settings of State cases on account of the crowded condition of the dockets. I direct your attention to the fact that two special district courts created in the last called session of the Forty-second Legislature expired in November, 1934. As a general rule, I am opposed to the creation of additional courts, but speedy judicial determination of people's rights is necessary to the preservation of freedom; and, as pointed out, conditions in these counties are unusual.

True, we have a statute authorizing the transfer of judges. This is very good in theory, but does not work out in practice to my personal knowledge. During the last four months of 1934, I personally placed long distance calls to judges all over the State in an effort to get them to sit in special sessions in the East Texas oil field. My efforts were made after the presiding judges of the respective district courts had made similar requests and failed to prevail upon judges to perform this service. Most of these district judges seemed willing enough, but complained that business in their respective courts prevented their coming.

I do not expect to ask the Legislature to create any more courts.

Respectfully submitted,

JAMES V. ALLRED,  
Governor of Texas.

#### Committee Report.

The Chair recognized Senator Martin, who asked unanimous consent to send up a committee report on S. B. No. 28.

Consent was granted.

#### Senate Bill No. 28.

Senator Hill called up S. B. No. 28.

The Chair laid before the Senate on its second reading.

By Senator Hill:

S. B. No. 28, A bill to be entitled "An Act creating the Special District Court of Rusk County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor prescribing his powers and duties, providing

for the transfer of cases from the Fourth Judicial District of Rusk County; and from the Special District Court to the Fourth Judicial District of Rusk County; providing for the District Clerk of Rusk County and his successor in office to be the clerk for said Special District Court in said county; providing that the District Attorney of the District Court of Rusk County shall represent the State in said Special District Court in said county, without extra compensation from said Special District Court of said county; providing a seal for said special district court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining section or provisions, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee substitute was adopted.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Hill the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 28 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Hughston.
Blackert.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	Pace.
Davis.	Rawlings.
DeBerry.	Sanderford.
Duggan.	Shivers.
Fellbaum.	Small.
Hill.	Sulak.
Holbrook.	Van Zandt.
Hopkins.	Westerfeld.
Hornsby.	Woodruff.

Absent.

Poage. Regan.

Absent—Excused.

Oneal. Stone.  
Redditt.

Read third time and finally passed by the following vote:

## Yeas—26.

Beck.	Hughston.
Blackert.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	Pace.
Davis.	Rawlings.
DeBerry.	Sanderford.
Duggan.	Shivers.
Fellbaum.	Small.
Hill.	Sulak.
Holbrook.	Van Zandt.
Hopkins.	Westerfeld.
Hornsby.	Woodruff.

Absent.

Poage.

Absent—Excused.

Oneal.	Regan.
Redditt.	Stone.

## Senate Bill No. 109.

By Senator Beck:

S. B. No. 109, A bill to be entitled "An Act providing that in counties having a population of more than 48,000 as shown by the Federal census of 1930, and containing a city of more than 10,000 population, as shown by the Federal census of 1930, located in a justice precinct other than that in which is located the county site in such county, the sheriff of such county may appoint as many deputies as the commissioners' court of such county may deem necessary, and declaring an emergency."

Read and referred to the Committee on County and County Boundaries.

## Motion to Suspend Rule.

Senator Beck moved to suspend the constitutional rule requiring bills to lie over 30 days before consideration by a committee, as to S. B. No. 109 as it was an emergency bill.

The motion prevailed by the following vote:

## Yeas—25.

Beck.	Hill.
Blackert.	Holbrook.
Burns.	Hopkins.
Collie.	Hornsby.
Cotten.	Hughston.
Davis.	Martin.
DeBerry.	Moore.
Duggan.	Neal.
Fellbaum.	Pace.

Regan.	Van Zandt.
Sanderford.	Westerfeld.
Shivers.	Woodruff.
Sulak.	

Nays—1.

Rawlings.

Absent.

Poage.	Stone.
Small.	

Absent—Excused.

Oneal.	Redditt.
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## Senate Bill No. 110.

Senator Rawlings asked unanimous consent to send up out of regular order a bill.

Consent was granted.

By Senators Rawlings, Hornsby, Moore Blackert, Regan, Duggan, Small, Hill, Shivers Burns, Pace and Fellbaum:

S. B. No. 110, A bill to be entitled "An Act to exempt from taxation the property owned and used exclusively and reasonably necessary in conducting any association engaged in promoting the religious, educational and physical development of boys and girls, young men or young women operating under a state or national organization of like character, and all endowment funds of such institutions, and declaring an emergency."

Read and referred to the Committee on State Affairs.

## Senate Bill No. 31.

Senator Holbrook called up S. B. No. 31:

By Senator Holbrook:

S. B. No. 31, A bill to be entitled "An Act to amend Section 1 of an Act passed by the Forty-third Legislature of the State of Texas, and being S. B. No. 561, Chapter 160, and published at length in the General Laws, Regular Session of the Forty-third Legislature, at pages 406 to 407, by adding thereto a provision authorizing building and loan associations that may now or hereafter own bonds or securities mentioned in said Act to exchange same to their shareholders, and declaring an emergency."

Senator Holbrook moved that the constitutional rule requiring bills to

lie over 30 days before consideration by committees be suspended as to S. B. No. 31.

The motion failed to receive the required 4-5 votes as shown by the following vote:

**Yeas—22.**

Blackert.	Martin.
Collie.	Moore.
Cotten.	Neal.
Davis.	Pace.
Duggan.	Regan.
Fellbaum.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Woodruff.

**Nays—2.**

Rawlings.	Westerfeld.
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**Present—Not Voting.**

DeBerry.

**Absent.**

Beck.	Poage.
Burns.	

**Absent—Excused.**

Oneal.	Stone.
Redditt.	

**Senate Bill No. 111.**

By Senator Van Zandt:

S. B. No. 111, A bill to be entitled "An Act regulating and fixing the rights of parties to contracts or conveyances executed by persons at the time who are of unsound mind or otherwise incompetent, where no adjudication of incompetency has been made by a court of competent jurisdiction, and, also, where such adjudication has been made but no lawful guardian of the estate of such incompetent has been appointed; providing for the filing in the deed records of each county where such incompetent owns, or has any interest in or lien upon land, of a copy of the order of the adjudication; providing for the duty of the court and clerk with respect to the filing of such order, fixing the cost and fee thereof; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

**Senate Resolution No. 20.**

Senator Woodruff sent up S. R.

No. 20, in memoriam of Judge J. C. Woodward.

S. R. No. 20 was read and adopted by a rising vote.

**Adjournment.**

On motion of Senator Holbrook the Senate at 11:20 o'clock a. m., adjourned until 10 o'clock a. m., Monday.

**APPENDIX.**

**Petitions and Memorials.**

(Letter.)

Hon. Bob Barker, Secretary of the Senate.

My Dear Mr. Barker:

Please convey to the membership of your honorable body my thanks for the beautiful roses presented to me at the inaugural ceremonies by the membership of the Senate and House. Also say the courtesy will be long remembered.

Thanking you again.

I am sincerely

ETHEL WOODUL,

(Mrs. Walter Woodul.)

Friday, January 18, 1935.

Washington, Jan. 14, 1935.

Hon. Bob Barker, Secretary of the Senate,  
State of Texas,  
Austin, Texas.

Dear Bob:

Your letter of January 10th, enclosing Resolution No. 6, having as its author Senator W. K. Hopkins, is received.

Please convey my regards to Senator Hopkins and others who may make inquiry concerning me.

With best wishes for your health and happiness, I am

Sincerely yours,

JNO. N. GARNER.

**Committee Reports.**

Committee Room,

Austin, Texas, Jan. 18, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 81, A bill to be entitled "An Act amending Article 4204 of the Revised Civil Statutes of 1925 by adding thereto a provision authorizing guardians of estates own-

ing real estate which has been foreclosed upon to file an application to the court for authority to convey said real estate to former owner and mortgage debtor thereof who is eligible for a loan thereon from the Home Owners' Loan Corporation, the Federal Land Bank or any other entity, corporation or agency now created, or hereafter to be created, by any act or acts of Congress or of the State of Texas, for a consideration partly or entirely evidenced by vendor's lien notes, authorizing an order to be entered thereon approving such conveyance, authorizing the assignment by the notes taken in exchange for the conveyance to such leading agency in exchange for bonds thereof, providing that the provision of Article 4204 in regard to credit sales of real estate by guardians may be dispensed with in all such cases, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PACE, Chairman.

Committee Room,  
Austin, Texas, Jan. 18, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 91, A bill to be entitled "An Act to amend Article 4941, Revised Civil Statutes of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,  
Austin, Texas, Jan. 18, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We your Committee on State Affairs, to whom was referred

S. B. No. 92, A bill to be entitled "An Act to amend Article 392, Revised Civil Statutes of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,  
Austin, Texas, Jan. 18, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We your Committee on State Affairs, to whom was referred

S. B. No. 93, A bill to be entitled "An Act amending Article 5006 of the Revised Civil Statutes, 1925, amended by Acts 1933, Forty-third Legislature, page 851, Chapter 242, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,  
Austin, Texas, Jan. 18, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 94, A bill to be entitled "An Act to amend Article 4766, Revised Civil Statutes of 1925, as amended Acts 1929, Forty-first Legislature, page 497, Chapter 237, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,  
Austin, Texas, Jan. 18, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 95, A bill to be entitled "An Act to amend Article 416, Revised Civil Statutes of 1925, as amended Acts 1929, Forty-first Legislature, First Called Session, page 48, Chapter 17, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,  
Austin, Texas, Jan. 18, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 96, A bill to be entitled "An Act to amend Article 4725 of the Revised Civil Statutes of 1925, as amended Acts 1931, Forty-second Legislature, page 256, Chapter 153, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Jan. 18, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 97, A bill to be entitled "An Act amending Chapter 18, Acts of the Third Called Session of the Forty-Second Legislature by adding thereto Section 4-a so as to authorize building and loan associations to make loans under the terms and provisions of Title II of the National Housing Act and to except such loans from the limitations prescribed by said chapter, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Jan. 18, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 98, A bill to be entitled "An Act to amend Article 4993, Revised Civil Statutes of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Jan. 18, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 99, A bill to be entitled "An Act to amend Acts of 1933, General Laws, Forty-third Legislature,

Regular Session, Chapter 160, page 406; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We your Committee on Judicial Districts, to whom was referred

S. B. No. 28,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that Senate Committee Substitute Bill do pass in lieu thereof and be not printed.

MARTIN, Chairman.

Committee Substitute Bill No. 28.

C. S. B. No. 28, A bill to be entitled "An Act to establish and create a Special District Court for Rusk County, Texas, to be known as the Special District Court of Rusk County, Texas; providing that its jurisdiction shall be concurrent with that of the Fourth Judicial District Court of Rusk County, Texas; fixing the time for holding the terms of said court; fixing the length of time said Court shall exist and providing for its expiration; providing for the transfer of all cases pending on its docket at the time of its expiration to the docket of the Fourth Judicial District Court, providing the manner of transfer, and authorizing the Judge of the Fourth Judicial District Court to approve all statements of fact, bills of exceptions and make all orders, judgments and decrees proper and necessary in cases theretofore tried in said Special District Court and transferred to the Fourth Judicial District Court; providing for the appointment, election, tenure of office, qualifications, duties, powers and compensation of a Judge of said Court; providing that the District Clerk of Rusk County shall be the Clerk of said Special District Court and of the Fourth Judicial District Court; providing for and authorizing the transfer of cases from the Fourth Judicial District Court to



the Special District Court, and from the Special District Court to the Fourth Judicial District Court, and the manner of transfer; providing for the institution of suit in either the Special District Court or the Fourth Judicial District Court, subject to the right of the judge in which the suit is filed to transfer it to the other court, and requiring the clerk to file it in the court directed by the party filing it; providing a manner of distinguishing cases filed in the Special District Court from those filed in the Fourth Judicial District Court; providing that the Criminal District Attorney of the Fourth Judicial District shall represent the State in the Special District Court; providing that said Act shall not affect the process, terms, jurisdiction or authority of the Fourth Judicial District Court, except as specifically conferred upon said Special District Court, and providing that all process issued in any case pending in the Fourth Judicial District Court shall be equally valid in any case transferred to the Special District Court, whether process is completed before or after transfer, and that all process issued in any case pending in the Special District Court shall be equally valid in any

case transferred to the Fourth Judicial Court, whether process is completed before or after transfer; providing for the drawing of a grand jury by the Judge of said Special District Court; providing for exchange of benches by the Judge of said Special District Court and the Judge of the Fourth Judicial District Court; providing that jurors drawn or legally summoned for service in either of said two courts may also be used in the other as though originally drawn or summoned for service in that court; providing for the appointment of an official court reporter and his salary; repealing all laws in conflict with this Act; providing that if any part of this Act be held invalid the remainder shall be valid; and declaring an emergency."

#### Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Jan. 17, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 68 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

## In Memoriam

# Judge J. O. Woodward

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### SENATE RESOLUTION NO. 20.

On December 12, 1934, He who guides our destinies called home the spirit of Judge J. O. Woodward, of Coleman, Texas, able and distinguished jurist and father of Hon. Walter C. Woodward, able and distinguished former member of this body. It is fitting and proper, therefore, that recognition be given in the Journals of this body of the high public service he rendered to his State as a native son in his span of almost 80 years as one of its citizens.

Judge Woodward was born in Cass County, Texas, on September 24, 1855. He married Fannie Dillard of Mt. Pleasant, on February 23, 1876. In 1878 they moved to Coleman County, and took up their first abode there in a picket house with a dirt floor. At that time that section of the State was in the pioneer stage. The times and conditions were such as tried men's souls and tested their strength. As he began life there, fear of God, a vision of the future, faith in his fellowman, tireless energy and a dauntless courage were his only possessions. But he was one of those "pioneer souls who blaze their paths where highways never ran," and was consequently soon called into public service. This he began as public school teacher in 1879, was chosen County Attorney in 1880, and served four years in that capacity. Thereafter he served his State four years as District Attorney, and for twenty years was District Judge of the Thirty-fifth Judicial District. During that period he was elected president of the State District Judges Association, and was selected presiding judge of the Seventh Administrative Judicial District of Texas. In 1930, he was appointed by the Governor as chairman of the State Board of Pardons and Paroles, which position he resigned on January 1, 1934, because of ill health.

Kindly, courteous and courageous, he deserved, commanded and held the highest respect and esteem of those with whom he came in contact. He was a friend of and to all who knew him. An ardent

home lover the welfare of his family was a constant and consuming devotion. A reciprocal devotion from them was but a natural reward. In lesser degree only was the love and loyalty of a multitude of friends throughout the State, who join in common grief at his passing.

Because of his long, useful, and eventful life, his high character as a citizen, and the invaluable public service he has rendered his State in numerous capacities as a public official, be it

Resolved that this recognition of his splendid career, his sterling qualities, and his venerable service to his State, by the Senate of Texas, be printed in the Journal; that his family be extended the deepest sympathy of this body, and that copies hereof be mailed to each member of the family.

DAVIS,	COTTEN,	REDDITT,
HORNSBY,	DeBERRY,	SANDERFORD,
RAWLINGS,	FELLBAUM,	SHIVERS,
REGAN,	HILL,	SMALL,
DUGGAN,	HOPKINS,	STONE,
MARTIN,	HUGHSTON,	SULAK,
HOLBROOK,	MOORE,	VAN ZANDT,
BECK,	NEAL,	WESTERFELD,
BLACKERT,	ONEAL,	WOODRUFF,
BURNS,	PACE,	WOODUL, Lt. Gov.
COLLIE,	POAGE,	

Read and adopted by a rising vote.